

26B3



PATENT
ATTORNEY DOCKET NO. 051027-01-0013

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Nicolas J. DORAN et al.) Confirmation No.: 4850
)
Application No.: 09/083,966) Group Art Unit: 2633
)
Filed: May 26, 1998) Examiner: K. Negash
)
For: DISPERSION MANAGEMENT SYSTEM)
FOR SOLITON OPTICAL TRANSMISSION)
SYSTEM)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

RECEIVED
FEB 02 2004
Technology Center 2600

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Response to the Office Action dated August 26, 2003.
2. Additional papers enclosed:

- ☐ Corrected Drawings: ☐ Formal ☐ Informal
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/> two months	\$ 420.00	\$ 210.00
<input type="checkbox"/> three months	\$ 950.00	\$ 475.00
<input type="checkbox"/> four months	\$ 1,480.00	\$ 740.00

Extension of time fee due with this request: **\$420.00**

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	33	minus	34	0	x \$18 each=	+ \$ -0-
Independent Claims (37 C.F.R. §1.16(b))	12	minus	12	0	x \$86 each=	+ \$ -0-
[] First presentation of Multiple dependent claim(s)					\$290.00	+ \$ -0-
SUB-TOTAL =						\$ -0-
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$ -0-

6. Fee Payment

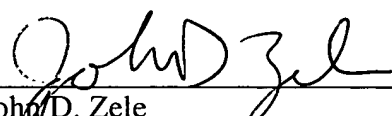
- ☐ No fee is to be paid at this time.
- ☐ Check in the amount of \$_____ for _____. The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.
- ☒ The Commissioner is hereby authorized to charge **\$420.00** (for a two-month extension of time fee) and any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 26, 2004

By:


John D. Zele
Reg. No. 39,887

CUSTOMER NO. 09629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: (202) 739-3000
Facsimile: (202) 739-3001



33/D9
2/4/04
DS

PATENT
ATTORNEY DOCKET NO. 051027-0013-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Nicholas J. DORAN, <i>et al.</i>)	Confirmation No.: 4850
)	
Application No.: 09/083,966)	Group Art Unit: 2633
)	
Filed: May 26, 1998)	Examiner: K. Negash
)	
For: DISPERSION MANAGEMENT)	
SYSTEM FOR SOLITON OPTICAL)	
TRANSMISSION SYSTEM)	

RECEIVED

FEB 02 2004

Commissioner for Patents
Arlington, VA 22202

Technology Center 2000

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

Sir:

In response to the Nonfinal Office Action of August 26, 2003, Applicants request reconsideration of the non-final rejection of claims 11, 13-14, 18, 20, 22-32 and 43-49, and amendment of the above-identified application as follows.

01/29/2004 WABDELRI 00000152 500310 09083966
01 FC:1252 420.00 DA